

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

MAR 16 2016

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA

V.

MONTY JAMES WOOD

§  
§  
§  
§  
§

CRIMINAL NO. 6:16CR/8

JUDGE MHS/JDL

SEALED

BY  
DEPUTY \_\_\_\_\_

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**COUNT ONE**

Violation: 21 U.S.C. § 841(a)(1) (Possession  
with intent to distribute methamphetamine)

On or about August 7, 2015, in the Eastern District of Texas, **Monty James Wood**,  
defendant herein, did knowingly and intentionally possess with intent to distribute  
methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §  
841(a)(1).

**COUNT TWO**

Violation: 21 U.S.C. § 841(a)(1) (Possession  
with intent to distribute methamphetamine)

On or about August 27, 2015, in the Eastern District of Texas, **Monty James Wood**,  
defendant herein, did knowingly and intentionally possess with intent to distribute

methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

**COUNT THREE**

Violation: 21 U.S.C. § 841(a)(1) (Possession with intent to distribute methamphetamine)

On or about September 10, 2015, in the Eastern District of Texas, **Monty James Wood**, defendant herein, did knowingly and intentionally possess with intent to distribute methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

**COUNT FOUR**

Violation: 18 U.S.C. § 924(c)  
(Use, carrying, and possession of a firearm during and in furtherance of a drug trafficking crime)

On or about September 10, 2015, in the Eastern District of Texas, **Monty James Wood**, defendant herein, did knowingly and intentionally use, carry, and possess a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession with intent to distribute methamphetamine, a Schedule II controlled substance, as charged in Count Three of this indictment, and in furtherance of said crime possessed a firearm, in violation of 18 U.S.C. § 924(c).

**COUNT FIVE**

Violation: 18 U.S.C. § 922(g)  
(Felon in possession of a firearm)

On or about September 10, 2015, in the Eastern District of Texas, **Monty James Wood**, defendant herein, having been convicted of an offense punishable by a term of imprisonment exceeding one year, specifically:

- (a) Burglary, in Cause #32425-B, 188th Judicial District Court, Gregg County, Texas, on September 2, 2005;
- (b) Theft, in Cause #35783-B, 124th Judicial District Court, Gregg County, Texas, on April 29, 2011; and
- (c) Theft, in Cause #41962-A, 188th Judicial District Court, Gregg County, Texas, on June 26, 2014;

did knowingly and intentionally possess a firearm, to wit: a Jimenez Arms, JA 380, .380 caliber pistol bearing serial number 083668, which had been shipped and transported in interstate commerce, in violation of 18 U.S.C. § 922(g).

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

Pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853, & 28 U.S.C. §2461

As the result of committing one or more of the foregoing offenses alleged in this indictment, the defendants herein shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461:

- 1. any property constituting, or derived from, and proceeds the defendants obtained, directly or indirectly, as the result of such violations;
- 2. any of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations, and/or;

**FIREARMS:**

Any and all firearms, ammunition and accessories seized from the defendant, including, but not limited to the following:

Jimenez Arms, JA 380, .380 caliber pistol bearing serial number 083668

**CASH PROCEEDS**

\$10,000.00 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations.

**Substitute Assets**

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendant.

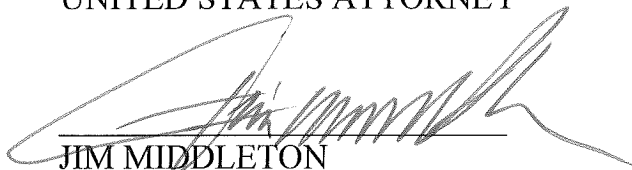
By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461.

A TRUE BILL



GRAND JURY FOREPERSON

JOHN M. BALES  
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3/16/16  
Date

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FOR THE EASTERN DISTRICT OF TEXAS  
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UNITED STATES OF AMERICA	§	
	§	
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	§	JUDGE_____
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**NOTICE OF PENALTY**  
**COUNT 1**

**COUNTS 1-3**

Violation:	21 U.S.C. § 841(a)(1) (Possession with intent to distribute and distribution of methamphetamine, a Schedule II controlled substance
Penalty:	Imprisonment for a term of not more than 20 years, a fine not to exceed \$1,000,000, or both. A term of supervised release of at least 3 years in addition to such term of imprisonment.
Special Assessment:	\$100.00

**COUNT 4**

Violation:	18 U.S.C. § 924(c) (Use, carrying, and possession of a firearm during and in furtherance of a drug trafficking crime)
Penalty:	Imprisonment for a term of not less than 5 years or more than life, which must be served consecutively to any other term of imprisonment, a fine not to exceed

\$250,000, or both. A term of supervised release of not more than 5 years in addition to such term of imprisonment.

Special Assessment: \$100.00

**COUNT 5**

Violation: 18 U.S.C. § 922(g)(1) (Felon in possession of a firearm)

Penalty: Imprisonment for a term of not more than 10 years; a fine not to exceed \$250,000, or both; a term of supervised release of not more than 3 years.

Special Assessment: \$100.00